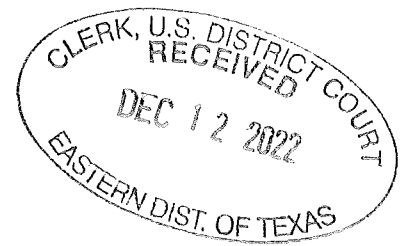


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS IN
THE TYLER DIVISION

Mr. JAMON N. HESTAND
Plaintiff



V.

§ Case#6:22-cv-00006

OFFICE OF THE INSPECTOR GENERAL, et.al.
Defendants

MOTION FOR ESTOPPEL AND RECUSAL w/ OBJECTIONS

I, JAMON NATHANIEL HESTAND, the Plaintiff of above styled Case, proceeding Pro Se & In Forma Pauperis with physical & mental Disabilities under the "Americans with Disabilities Act"; hereby present this "Motion For Estoppel And Recusal w/ Objections" to this Court for serious consideration, relief, and appropriate action in the interest of Justice under Law... Hence forth I shall present the "Motion For Estoppel And Recusal w/ Objections" in separate Sections with Paragraphs as need be along with "Grounds" for why they should be Granted or Sustained appropriately in the interest of Justice under Law as follows:

I. MOTION FOR ESTOPPEL

#1 I hereby MOVE this Court to ESTOP any Orders or Decisions by this Court that interfere unlawfully with my lawful Due Process Rights of Filing Pleadings & Motions in this Court as part of Case#6:22-cv-00006 or Case#6:22-cv-00071... (Such as the Orders embedded in Document 50 & 69 that Order the Clerk to not accept any Filings from me - except Objections or a Change of address)...

#2) I hereby MOVE this Court to ESTOP any Orders or Decisions by this Court that interferes with me trying to exercise or exhaust my Due Process Rights in the "U.S. Court of Appeals - Fifth Circuit" and/or in the "U.S. Supreme Court"... (Such as with "Document 69 & 72" of this "Case #6:22-cv-00006")...

#3) I hereby MOVE this Court to ESTOP any Orders or Decisions by this Court that retaliate against me for me trying to exercise or exhaust my Due Process Rights in the "U.S. Court of Appeals - Fifth Circuit" and/or in the "U.S. Supreme Court"... (Such as with "Document 72" of this "Case #6:22-cv-00006")...

#4) I hereby MOVE this Court to ESTOP any unlawful Bias or Prejudice by this Court against me that shows Favoritism for the Defendants (named, un-named, and yet to be named) of Case #6:20-cv-00071 & Case #6:22-cv-00006 in this Court...

II. MOTION FOR RECUSAL

#1) I hereby MOVE this Court to RECUSE "U.S. District Judge. J. Campbell Barker" from "Case #6:22-cv-00006 & Case #6:20-cv-00071" in this Court immediately & permanently...

#2) I hereby MOVE this Court to RECUSE "U.S. Magistrate Judge - Katie Nicole Mitchell" from "Case #6:22-cv-00006 & Case #6:20-cv-00071" in this Court immediately & permanently...

III. OBJECTIONS

#1) I hereby OBJECT to the RECOMMENDATION made by "U.S. Magistrate Judge - Katie Nicole Mitchell" in "Document 72" of this "Case #6:22-cv-00006" in this Court...

#2) I hereby OBJECT to all the ORDERS made by "U.S. Magistrate Judge - Katie Nicole Mitchell" in "Document 69" of this "Case #6:22-cv-00006" in this Court... (For additional reasons)...

#3) I hereby OBJECT to this Court accepting a Mandate from "Document: 00516492557" of "Appeal No. 22-40236" from the "U.S. Court of Appeals - Fifth Circuit"...

#4) I hereby OBJECT to "U.S. District Judge - J. Campbell Barker" & "U.S. Magistrate Judge - Katie Nicole Mitchell" not Disqualifying themselves from "Case #6:22-cv-00006 & Case #6:20-cv-00071" in this Court according to "28 USC § 455", etc. appropriately...

#5) I hereby OBJECT to Clerks of this Court (who are involved with "Case #6:20-cv-00071 & Case #6:22-cv-00006" in this Court) participating with and/or not reporting Judicial Misconduct by Court Officials & Employees against me in connection to "Case #6:20-cv-00071 & Case #6:22-cv-00006" in this Court...

IV. GROUNDS FOR WHY "MOTIONS FOR ESTOPPEL AND RECUSAL" SHOULD BE GRANTED AND FOR WHY "OBJECTIONS" SHOULD BE SUSTAINED

#1) All the Grounds I presented in the "Motion For Estoppel w/ Objections" (that I Executed on November 7th, 2022 and sent to this Court on November 8th, 2022) should be considered for the Grounds of this Motion also...

#2) There should not be any Orders made by this Court that block me from Filing legitimate Pleadings & Motions to this Court according to: my Due Process Rights / the Federal Rules of Civil Procedure / the Federal Rules of Appellate Procedure / etc. (as applicable in the interest of Justice under Law)... Orders like that are Dispositive Orders which are indeed Appealable Orders under "28 USC § 1291 & 1292", and there are Orders in "Document 50 & 69" embedded within the "Rule 7 Reply / Order to Amend my Complaint / etc." that unlawfully block my Pleadings & Motions in favor of the Defendants (named, un-named, and yet to be named)...

#3) Document 00516492557 of Appeal No. 22-40236 from the 5th Circuit Court of Appeals is not a Lawful Document that can actually enforce a Mandate in the First place and between that and the up to 24 missing Articles of Legal Mail in that Court along with the Fact that, that Court does have Jurisdiction over my Appeal (as I revealed

very clearly in "Document 00516531315" which should be re-examined for these Grounds of this Document by this Court and so, I definitely have a right to exercise & exhaust my Due Process Rights completely in the "U.S. Court of Appeals-5th Circuit" and/or "U.S. Supreme Court" without hostile interference or retaliation from this Court such as revealed in & with "Document 69 & 72" in this "Case #6:22-cv-00006" in this Court where "U.S. Magistrate Judge-Katie Nicole Mitchell" acts upon an obviously bogus Mandate, makes unlawful Orders that block me from lawfully filing Pleadings & Motions in this Court, shows me obvious hostility from the Bench critically, and seems to be arguing the Case for the opposing party so that overall, she seems to have a personal bias or prejudice against me very strongly that definitely puts her impartiality to the question under 28 USC § 455 which also is revealed in "Dockets #15, 31, 32, 49, 50, along with 69 & 72" all in favor of the Defendants (named, un-named, and yet to be named)...

#4) "Document 00516531315" of "Appeal No. 22-40236" in the "U.S. 5th Circuit Court of Appeals" shows exactly how that Court had Jurisdiction over my Appeal in graphic detail and it also has a bunch of information that support this Document very strongly so it needs to be fully considered for this Document too as part of the Grounds of this Document for why its Motions should be Granted & Objections sustained...

#5) "U.S. District Judge-J. Campbell Barker" has been deliberately indifferent to the negative decisions & actions of Court Officials & Employees under his authority and has gone further to actually participate in the unlawful behavior as revealed in & with "Docket #s: 51, 55, 57" which made me Appeal to the "U.S. Court of Appeals-Fifth Circuit" (and Docket #62) from those unlawful Orders (Appeal No. 22-40236) that reveal his own Bias against me which I explained in graphic detail in the 24 missing Documents that I sent to be considered for my Appeal containing: Motions/ Briefs/ Memorandums of Law/ Sworn Affidavits/ Legal Letters/ etc. (that I have copies of) that were supposed to be filed for my Appeal appropriately but were not unlawfully in a conspiracy against my rights to Obstruct Justice which I explained in my "Petition for Rehearing En Banc" (Document 00516531315) in that Court...

#6) As I revealed very clearly in "Document 00516531315" of "Appeal No. 22-40236" at the "U.S. 5th Circuit Court of Appeals" at "Page #13-15" at "Paragraph 6", the Cases the this Court and that Court presented (Levy v. SEC, 405 F.2d 484, 486 (5th Cir 1968) & Wallace v. County of Comal, 400 F.3d 284, 291 (5th Cir 2005)), to state as reasoning for how I can't Appeal an Order to Amend, actually upon investigation refer to the Defendants not the Plaintiff, so both Courts deliberately misapplied the Law to obstruct Justice and that shows me very serious Bias & Prejudice against me by U.S. District Judge-J. Campbell Barker with "Document 62" in this Court and in the bogus "Document 00516492557" of the Appeals Court as forementioned that is in the name of three "U.S. 5th Circuit Judges" but has none of their signatures to give it Lawful Power whatsoever... *A Plaintiff can indeed Appeal an Order to Amend being forced on them and the Defendants can too under extraordinary circumstances and/or with Pendant Jurisdiction, but, I am the Plaintiff plain & simple...

#7) U.S. District Judge-J. Campbell Barker has deliberately failed to consider my Objections at "Document 55" from April 12th, 2022 up til now & ongoing which pertains to Preliminary Injunctions & Temporary Restraining Orders that I brought forth way back at "Docket 14/Document 14-2" very clearly which this deliberately ignored in favor of the Defendants (named, un-named, and yet to be named) who are still subjecting me to an ongoing Campaign of Retaliation & Harassment that has gone on thru Case #6:20-cv-00071 & Case #6:22-cv-00006) for me trying to exercise my Petition, Access To Courts, and Due Process Rights which I've explained many times to this Court to no avail...

#8) Document 69 & 72 are illegitimate since they come from a "Mandate" that comes from Document 00516492557 (as forementioned) which has no Lawful Power whatsoever (as forementioned)... *And a Clerk cannot put forth a Mandate in 3 U.S. Circuit Judges' names without their authorizing Power & Signatures... That is all Conspiracy against my rights to obstruct Justice in favor of the Defendants (named, un-named, and yet to be named) unlawfully for what seems to be because of a Shared Affiliation with the Republican Party with a strong possibility of Family Ties, Friendships, and/or Investments in the Texas Correctional Industries...

#9) Document 72 in itself reveals how "U.S. Magistrate Judge - Katie Nicole Mitchell" is indeed exhibiting very serious Bias & Prejudice against me with her obvious hostility towards me in favor again of the Defendants (named, un-named, and yet to be named) that shows very clearly that she is mostly definitely not impartial to the proceedings at all with her blatant dishonesty...

My Complaint at Docket 1 of this Case #6:22-cv-00006, is 43 Pages long for very good reasons written in large handwriting with 157 Paragraphs of which 98 are simply names of the Defendants with their addresses. The FACTS of my Complaint don't start until Page #7! So it takes up to Page #7 to just do the Caption / Jurisdiction, Venue, and Plaintiff parts of the Complaint before the FACTS begin (which are so supported under penalty of perjury by "Docket #s: 6, 7, 14, 17, 19, 23, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 48, etc.") at Paragraph 104 and so between those FACTS and the Supporting Dockets, it is explained in very graphic detail exactly what the Defendants did to violate my rights along with where it all happened exactly and when it all happened specifically and how I interacted with them exactly also...

~ And my Legal Claims are at Page #34-37 at Paragraphs 146-149 and my Prayer For Relief is at Page #37-43 at Paragraphs 150-157, so what is really going on in this Court is that I am the one being violated & disrespected by this Court unlawfully in favor of the Defendants who I am very clearly suing in their individual & official capacities for monetary damages and Preliminary & Permanent Injunctions...

In Document 72, U.S. Magistrate Judge - Katie Nicole Mitchell pretends like I'm breaking the Law by exercising & exhausting my Due Process Rights in the "U.S. Court of Appeals - Fifth Circuit" and/or "U.S. Supreme Court" which shows more of her Bias & Prejudice against me... *Just because this Court makes a ruling doesn't mean it's lawful at all! This Court has been showing non-stop Favoritism for the Defendants unlawfully with very serious Bias & Prejudice against me very obviously which has extended to the "U.S. 5th Circuit Court of Appeals" as forementioned (including Judges & Clerks in both Courts)...

#10 It's no surprise that "U.S. Magistrate Judge - Katie Nicole Mitchell" comes up with Document 72 trying to get my Lawsuit dismissed with prejudice around the same time that I was lawfully exercising & exhausting my Due Process Rights in the "U.S. Court of Appeals - 5th Circuit" with "Appeal No. 22-40236" and the successive Filings (Motion For Stay Of Mandate Pending Petition For Rehearing En Banc / Petition For Rehearing En Banc / Motion For Reconsideration / Motion For Stay pending Petition For Certiorari / etc.) that I brought forth once I realized how bad my rights were being violated in that Appeals Court and that all is my Lawful Due Process Rights...

Any reasonable or objective person or persons who know or came to know all the Circumstances involving Case #6:20-cv-00071 & Case #6:22-cv-00006 in this Court and Appeal No. 22-40236, would definitely question the impartiality of all the involved Court Officials & Employees under the scope of "28 U.S.C. § 455", so, they should all recuse themselves appropriately in the interest of Justice under Law immediately, and, I am accusing these Court Officials & Employees of unlawfully subjecting me to very serious Bias & Prejudice in favor of the Defendants (named, un-named, and yet to be named) in a conspiracy to obstruct Justice for a large amount of very serious Human & Civil Rights violations they committed against me & other Incarcerated Persons (including Hundreds of Felony & Misdemeanor Crimes under Federal & State Law which I have alleged a bunch of times before this Court and the Court of Appeals to no avail as of yet) involved in my Lawsuit, so, for these Court Officials & Employees to not recuse themselves is a deliberate abuse of discretion and violation of "28 USC § 455" in favor of the Defendants (named, un-named, and yet to be named)...

***Therefore, I MOVE this Court to Lawfully Grant all Motions in this Document and to SUSTAIN all Objections in this Document in the interest of Justice under Law as soon as possible...

"I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed On: November 30th, 2022

Jamon Nathaniel Hestand

Jamon Nathaniel Hestand

TDCJ #01343536 / STD #06228192 "